

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the remarks herewith.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 25-42 are currently pending. No claims are amended in this paper.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 25-40 were rejected under 35 U.S.C. §103(a) over U.S. Patent No. 5,552,833 to Henmi, et al. (hereinafter, merely “Henmi”) in view of U.S. Patent No. 5,204,662 to Oda et al. (hereinafter, merely “Oda”) and further in view of U.S. Patent No. 5,787,259 to Haroun, et al. (hereinafter, merely “Haroun”) and further in view of U.S. Patent No. 5,572,643 to Judson (hereinafter, merely “Judson”) and further in view of U.S. Patent No. 5,699,089 to Murray (hereinafter, merely “Murray”).

III. TELEPHONE INTERVIEW

Applicants thank Examiner for holding a telephone interview with Applicants’ representative on July 20, 2011, summarized herewith. Applicants’ representative presented the arguments that Henmi and Judson are not combinable because the combination changes the operation principle of Henmi. Examiner disagreed. No agreement was reached.

IV. RESPONSE TO REJECTIONS

Claim 25 recites, *inter alia*:

...displaying means for displaying the text based control commands in web pages by using a web browser application.
(emphasis added)

The Office Action (see page 5) concedes that Henmi, Oda, and Haroun fail to disclose or render predictable the above-identified features of claim 25 and relies on Figures 1, 2, and 5 and column 4, lines 35-50, and column 6, lines 13-24 of Judson to reject “**displaying means for displaying the text based control commands in web pages by using a web browser application,**” as recited in claim 25. Applicant respectfully disagrees.

Applicant submits that the combination of Henmi and Judson changes the principle of operation of Henmi. According to MPEP2143.01(VI), the proposed modification cannot change the principle of operation of a reference.

If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959) (Claims were directed to an oil seal comprising a bore engaging portion with outwardly biased resilient spring fingers inserted in a resilient sealing member. The primary reference relied upon in a rejection based on a combination of references disclosed an oil seal wherein the bore engaging portion was reinforced by a cylindrical sheet metal casing. Patentee taught the device required rigidity for operation, whereas the claimed invention required resiliency. The court reversed the rejection holding the "suggested combination of references would require a substantial reconstruction and redesign of the elements shown in [the primary reference] as well as a change in the basic principle under which the [primary reference] construction was designed to operate." 270 F.2d at 813, 123 USPQ at 352.).

Henmi's recording apparatus and method rely on "teletext" that is a dedicated format for characters superimposed on the vertical blanking period from a video signal. Henmi describes the "teletext" format in detail in Figures 1-9. Henmi further describes in column 6, lines 5-10 the transmission of teletext, "a character signal extracting section for extracting character signals superimposed on the vertical blanking period from a video signal a." Henmi does not disclose or suggest other text formats may be used by Henmi's invention.

Judson requires a HTML-compliant client that is designed for the WorldWide Web of the Internet to support a web browser based invention. Applicant submits that the combination of Henmi and Judson changes the principle of operation of Henmi from a "teletext" based application to a HTML based application. Applicant submits that none of Henmi's method and apparatus is able to receive a transmission via Internet. Applicant submits that none of Henmi's method and apparatus is able to decode a HTML based file. Therefore, Henmi and Judson are not combinable because such a combination changes the principle of operation of Henmi.

Therefore, claim 25 is patentable.

Claims 30, 35, and 36, which recite similar feature with that of claim 25, are also patentable for similar reasons.

As nothing in the prior art cited in the Office Action cures the above-identified deficiencies, Applicant respectfully requests reconsideration and withdrawal of the rejections.

V. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. As nothing in the prior art cited in the Office Action cures the above-identified deficiencies, Applicant respectfully requests reconsideration and withdrawal of the rejections. As each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION


Similarly, because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application,

Please charge any additional fees that may be needed, and credit any
overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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